

Appl. No : 10/558,191  
Applicants : ROSENBERG, Laurence  
Filed : November 25, 2005  
Title : IN VITRO PLATFORM FOR SCREENING AGENTS  
INDUCING ISLET CELL NEOGENESIS  
TC./A.U. : 1657  
Examiner : GITOMER, Ralph  
Agent's Docket No.: FC 14647-35  
Customer No. : 1059

Mail Stop Amendment  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
United States

## **RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In complete response to the Requirement for Restriction mailed August 1, 2007, Applicants provisionally elect, albeit with traverse, to prosecute the claims of Group I, namely claims 1 to 4.

Reconsideration of the Restriction Requirement is respectfully requested. The claims of Groups I to IV are related as products and methods of using. Under M.P.E.P. §806.05(h), a product and a process of using are only distinct inventions if it can be shown that "(1) the process for using as claimed can be practiced with another materially different product, or (2) the product as claimed can be used in a materially different process." Thus, the method as presently claimed cannot be practiced with other materially different products or methods. Therefore, the requirements of M.P.E.P. §806.05(h) are not met. Withdrawal of the Restriction Requirement and examination on the merits are therefore respectfully requested.

In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,

Laurence Rosenberg



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FC/ntb